## STATE OF RHODE ISLAND DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES

#### PUBLIC NOTICE OF PROPOSED RULE-MAKING

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to amend the following DCYF rule:

### **Contents and Format for Department Record Keeping**

This amended rule outlines processes for documenting case information in the Department's electronic management information system to ensure continuity of care. In the amendment of this rule, consideration was given to the following: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This amended rule is accessible on the DCYF website (<a href="http://www.dcyf.ri.gov">http://www.dcyf.ri.gov</a>) or the R.I. Secretary of State's website (<a href="http://www.sec.state.ri.us/ProposedRules/">http://www.sec.state.ri.us/ProposedRules/</a>). Interested persons may submit written comments by November 7, 2011 to Susan Bowler, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903 (<a href="mailto:Susan.Bowler@dcyf.ri.gov">Susan.Bowler@dcyf.ri.gov</a>).

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

### Contents and Format for Departmental Record Keeping

Rhode Island Department of Children, Policy: 700.0065	, Youth and Families
Effective Date: March 17, 1986	Revised Date: May 15, 1989
Version: <u>4</u>	
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The Department of Children, Youth, and Families has devised a standardized format for case recording, case record content, and case record organization (Training School, Community Resources/Children's Behavioral Health, and Adoption Subsidy records are excepted). This system is designed to accommodates all-case specific information sought and maintained by the staff various divisions. Possessing separate personal records, notes, duplicate files, or any information received from and/or about persons currently or previously involved with the Department is prohibited. It is the intent of the Department-through this record keeping system to make all Departmental records uniform (except aswhere indicated above) and to consolidate all case-related information where possible into one (1) permanent family record.

The active DCYF case record is a hard cover three-ring (3) binder with ten (10) pre-printed index dividers. Information is incorporated into each record section as outlined on the back of each divider (10) index dividers shall remain with the record even after all family members have been closed to service. However, once the last child has been closed to service, the contents of the permanent family record (including dividers) are removed from the binder and are placed in a manila folder for storage. The binder is then reused for other active cases.

Ongoing dictation for most service units is stored in the "Narrative" section of the case record. However, special record sections ("CPS" and "Special Services") have been included to accommodate closed dictation for specific units (CPS, Probation, MHSCY, and at times Assessment) as well as adoption materials in certain situations. When the "Special Services" section is used, dictation for each involvement with the Department shall be preceded by a cover sheet indicating to whom the material relates, the service unit, and the dates of involvement (ex. John Smith, Assessment, 1–1-85 to 2-1-85).

At times there may be concurrent involvement of two (2) or more units in the Department with a particular child or family. This shall necessitate maintaining more than one (1) case record during this concurrent involvement. In such situations (excluding CPS, Training School, and Community Resources where separate records shall continue to be maintained) one (1) record shall be designated as the permanent family record (i.e. the record of that worker assigned family responsibility) and all other records are designated as temporary. All material maintained in a temporary record, excluding the Adoption Placement Unit and/or those records of children where termination of parental rights has occurred must eventually be incorporated into the permanent family record.

Only those cases opened or reopened after March 17, 1986, shall undergo mandatory conversion into the hard cover three-ring (3) binder format. All other case records can be voluntarily converted or can remain in the previous case record format (exception: if concurrent involvement is initiated on cases in the old case record format, the entire case record must be converted to the hard cover three-ring (3) binder format). New cases (no previous involvement with the Department) are set up in the hard cover three-ring (3) binder format by the unit initiating services. Re-openings (closed cases in the old record format) are first converted when possible by DCYF Record Center staff before the unit initiating services incorporates the reopening material into the record.

Certain case situations necessitate setting up a new case record for a child or family. If a minor currently active with the Department subsequently gives birth and that infant becomes active, a

new record (including a new RICHIST number) is established for that infant and the minor mother as a family unit. Another situation necessitating a new case record is termination of parental rights. Once termination of parental rights has been granted on both parents, that child must then be separated out of the case record of his/her family of origin and a new case record is established for that child. All relevant case materials relating specifically to that child (i.e. documents, forms) are removed from the family record and are filed in the appropriate record sections of his/her new record. This does not include Service Plan/ Agreements or correspondence, court letters, hearing notices, forms such as 005s and any other forms or documents dated prior to the TPR and not relevant to planning for the child's current situation. Dictation is not copied from the biological family record. A new Face Sheet is developed. The child retains his/her RICHIST number, but new dictation and any new material regarding that child shall be filed in the child's new record. However, after the effective date of this policy, any such child who is subsequently adopted shall be assigned a new RICHIST number whether or not a subsidy is involved.

Case record binders can be stored in standard file cabinets (spine up). Tab holders have been attached to the spine of each binder to display identifying case information. Because active cases opened to the Department prior to March 17, 1986 are not mandated to be converted to the hard cover three-ring (3) binder format (except where indicated within), these records, where applicable, shall continue to be stored in secure file systems. However, all case records shall be stored in manila folders upon closing and shall be sent to the DCYF Record Center for storage. The exception to this is those case situations where a family member continues to be serviced by the Department (except CPS, Community Resources, and Adoption Placement Unit). In these situations the closed file is sent to the active worker so that all material can be consolidated into one (1) family record. No partial record shall ever be sent to the DCYF Record Center for storage nor shall Record Center employees be expected to consolidate such records for storage.

Effective May 15, 1989 staff will utilize the Case Profile System for all cases opened to service as of that date. For existing cases, staff will use the Case Profile Needs Assessment Checklist as they review their cases for subsequent Service Plan development; the use of Profile Narratives is not mandated for existing cases.

While the Training School (RITS) may be in possession of all or part of the permanent family record, this record ischall at no time be incorporated into the RITS record. As the RITS has a record destruction policy in place, all materials and records sent from any other division of DCYF to the RITS aremust be returned to the Department's CYF Master File Record Center upon a youth's discharge from the RITS if the child and family are closed to services. This is to safeguard against destruction of certain materials which must be maintained by law. If the child continues to need Departmental services uponat the time of discharge from the RITS, materials and records are managed in conformance with DCYF Policy 1200.1620, Case Transfer Between the Rhode Island Training School and Family Services Units or Juvenile Probation, including copies of updated information generated by the Training School shall be sent to the receiving worker/counselor who will be providing service to the child. If there is concurrent servicing by two (2) or more units with the child/family, record consolidation shall eventually take place as described in the above mentioned policy.

### Related Procedures

Case Record

Child and/or Family Opened or Reopened to the Department after March 17, 1986
Case Record Storage

Contents and Format for Departmental Record Keeping

### **Related Policy**

Comprehensive Assessment and Service Planning
Rhode Island Children's Information System (RICHIST)
Case transfer Between the Rhode Island Training School and Family Services Units or
Juvenile Probation

# Contents and Format for Departmental Record KeepingCase Record

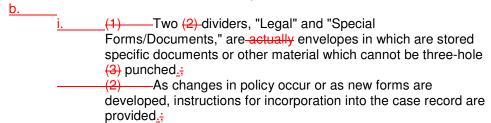
Procedure from Policy 700.0065: Contents and Format for Departmental Record Keeping

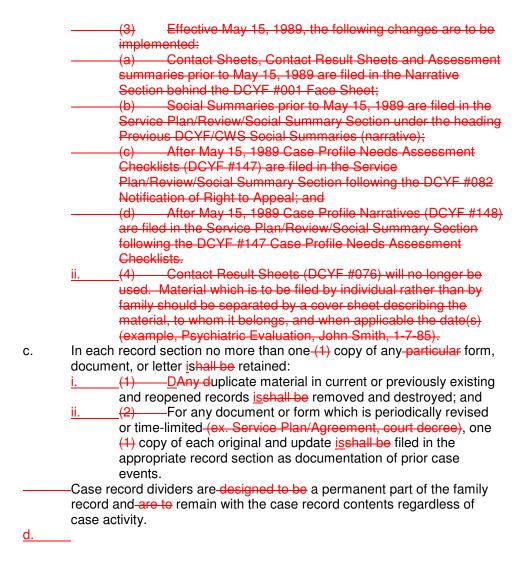
- A. The DCYF case record is a hard cover, three-ring-(3) binder with ten (10) pre-printed index dividers outlining the contents of each record section:
  - 1. Case record binders come in two (2)-sizes to accommodate the varying amounts of material accumulated in case records over time;
  - 2. <u>A There is a clear plastic insert is attached to the spine of each binder-; in which shall be inserted a tab is inserted on which is typed:</u>
    - Surname(s) of all-family members;
    - b.Name of mothereach parent/guardian;
    - e.b. Name(s) of child(ren); and
    - d.c. RICHIST number.
  - 3. Case record binders are used only while the case is being serviced:
    - a. The binders are designed to be reused-for other cases;
    - b. Closed cases are to be removed from the binder (including dividers) and are to be stored in manila folders; and
    - c. Empty binders generated by-most Family Services closings <u>are-shall be</u> returned to Intake for <u>re-use-in-subsequent cases</u>. However, those units generally responsible for their own openings (ex. Probation, MHSCY) shall retain the empty binders for subsequent use.
  - 4. Case record dividers have been designed to consolidate all-record materials into specific record sections.
    - a. Pre-printed record sections include:
      - . (1) Narrative/Case Activity Note;
      - ii. (2)—Risk and Protective Capacity Assessment and Service
        Plan in conformance with DCYF Policy 700.0075,
        Comprehensive Assessment and Service PlanningService
        Plan/Service Plan Review/Social Summary, Documentation of
      - Administrative Review;

        iii. (3) Reports and Evaluations (filed by participant with each sub-divided by a cover sheet);
      - iv. (4) Medical/Dental (filed by participant with each sub-divided by a cover sheet);
      - v. <del>(5)</del> Legal;
      - vi. (6) Correspondence;
      - vii. (7)—Special Forms/Documents;
      - viii. (8) Child Protective Services;
      - ————Special Services.<del>; and</del>
      - \_\_\_\_\_(10) RICHIST.

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b.On the back of each divider is printed the specific forms, documents, or other material to be incorporated into that section as well as instructions on how such material is to be filed. Updates as to what material belongs in each section are included in this procedure:





Proposed amendment 6 10/7/11

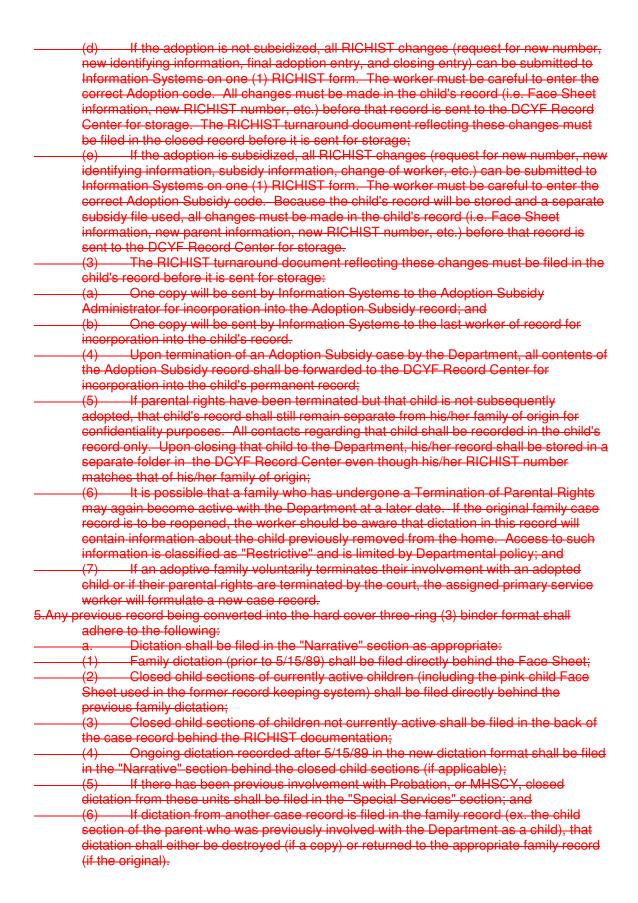
Child and/or Family Opened or Reopened to the Department after March 17, 1986 Procedure from Policy 700.0065: Contents and Format for Departmental Record Keeping
A. For any child and/or family opened or reopened to the Department after March 17, 1986, all materials presently and previously accumulated regarding that child and/or family (except Community Resources, Termination of Parental Rights/Adoption, and original CPS records) shall be consolidated into one (1) permanent family record which adheres to the specified case record format:
1.All case records shall be associated with the biological/adoptive mother, living or dead,
regardless of her current whereabouts or involvement with the child(ren):
a.All children listed in the "Children" section of the Face Sheet (DCYF #001) must share the same mother; and
b.f the involved children in a family household do not share the same mother (i.e. natural child and step-child), a separate record must be opened and maintained for that child or children who have a different mother under that mother's name.
2.All currently active case records opened prior to March 17, 1986 are not subject to but may be voluntarily converted into the hard cover three-ring (3) binder format:
a.lf concurrent involvement is initiated after March 17, 1986 (example: new child opened in
Assessment in family active in Generic), the entire family record shall be converted to the hard cover three-ring (3) binder format once the temporary record is transferred to the active family worker; and
b.If workers opt to voluntarily convert their active cases, this should be coordinated through their
supervisor to ensure proper conversion, sufficient storage, and adequate caseload coverage.
3. Though at times it may be necessary to maintain more than one (1) case record on an
individual or family due to concurrent servicing by two (2) or more units within the Department, all information shall eventually be consolidated into one (1) permanent family record (except Community Resources, Termination of Parental Rights/Adoption, and original CPS records):
a.The record of that worker/counselor assigned family responsibility shall be designated as the
permanent family record and all other records are designated as temporary;
b.All material maintained in a temporary record must eventually be incorporated into the permanent record:
(1) If the worker/counselor in possession of the permanent record is the last to
service the family, he/she shall be responsible to consolidate other material into that record;
(2) If the worker/counselor in possession of the permanent family record terminates
involvement with the family prior to the concurrent worker, he/she shall send the permanent record to that other worker:
(a) The other worker shall then incorporate his/her material into the permanent
record; and
(b) If the permanent record to be sent is not in the hard cover three-ring (3) binder
format, that record shall be converted to the new format prior to it being sent.  (3) Although ongoing dictation for most service units is stored in the "Narrative"
section, special record sections ("CPS" and "Special Services") have been created to accommodate closed dictation for specific units (CPS, Probation, MHSCY, and at times
Assessment) as well as adoption materials in certain situations when there has been
prior involvement, concurrent involvement, or is subsequent involvement with another
unit in the Department (except CPS, and Community Resources):
(a) This applies to Assessment only when a new child is opened in Assessment in a
family currently active in Family Services (Generic); and (b) In all situations where the "Special Services" section is utilized, dictation for each

<del>1-85).</del>

involvement shall be preceded by a cover sheet indicating to whom the material relates, the service unit, and the dates of involvement (ex. John Smith, Assessment, 1-1-85 to 2-

c.Wher	a concurrent involvement is initiated, the worker/counselor who is not in possession of the
	permanent family record may need to review that record for background information:
	(1) The worker/supervisor shall arrange with the family worker/supervisor to review
	the record as soon as possible;
	(2) The assigned family worker/supervisor shall make the record available for in-
	house review no later than two (2) working days following the request;
	(3) Any request to send all or any part of the permanent family record elsewhere
	must have prior approval of the Administrator/Assistant Director who has overall
	responsibility for that record; and
	(4) If a record is sent out for review, it shall be returned to the assigned family worker
	within three (3) working days.
d.At tim	nes it is possible that a service unit within the Department may be preparing to close a
	child to service or transfer a case to another unit and CPS initiates an investigation:
	(1) If the CPS investigation is on the same child, the service unit must await the
	outcome of the investigation and must provide such interim and/or subsequent services
	as become necessary;
	(2) If the CPS investigation is on a new child, the service unit must await the
	outcome of the investigation before terminating involvement or transferring the case, but
	is not responsible to provide services to that child or family unless responsibility is
	assigned under existing policy; and
	(3) Regardless of what child the investigation involves, the case record must be
	made available for review by CPS.
4.Resp	consibility for formation of the new case record depends upon the type of case being
	opened:
a	New cases (no previous involvement with the Department) are the responsibility of the
u.	unit initiating services;
h Reon	penings (closed existing case record) are handled as follows:
	(1) The unit initiating services shall request the closed record through the DCYF
	Record Center:
	(2) The Record Center staff shall convert any record not currently in the hard cover
	three-ring (3) binder format and shall place all records in the binder:
	(a) Existing records from multiple service units involving a particular child or family
	(except Training School, Community Resources, Termination of Parental Rights/Adoption
	records, or CPS) must be consolidated into one (1) family record;
	(b) Record Center employees shall follow the case record format as detailed within
	when converting all existing case records; and
-	(c) While every effort shall be made to centralize such record formation with the
	DCYF Record Center, the unit initiating services will at times be required to convert select
	records when Record Center employees are unable to do so.
	- (3) The unit initiating services shall incorporate all re-opening material into this
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- NI	record.
C.IVEW	child/active family may require the temporary or permanent formation of two (2) case
	records:
	(1) If the new child is to be serviced initially by a worker other than the one currently
	servicing the rest of the family, record formation for that new child becomes the
	responsibility of that unit initiating service;
	(2) Although such new records will be in the hard cover three-ring (3) binder format
	the existing family record may be in the old format:
	(a) If the record of the new child is subsequently transferred to the existing family
	worker, the existing family record must than be converted by that family worker; and
	(b) If the existing family worker is transferring family responsibility to the new worker,
	he/she may convert the family record prior to transfer.
	(3) If a minor currently active with the Department subsequently gives birth and that
	infant becomes active, a separate record is established for that infant and mother as a
	family Unit:

	(a) Responsibility for record formation rests with the unit initiating services to that infant:
	(b) The record for the infant shall be assigned a new RICHIST number which is cross-referenced to the minor mother's existing record. A separate binder is used for the
	infant's record; (c) Contacts are separately dictated and material is filed in each record contingent upon which family unit it involves (i.e. minor mother and her parents/minor mother and her child);
	(d) The minor mother retains her own record as a child as long as she continues to be serviced as a child. There is no need or mandate to convert this record if in the old record format; and
	(e) At no time shall the material from these two (2) records be consolidated into one (1) record.
<del>d.Once</del>	termination of parental rights has been granted on both parents, the assigned primary service worker must formulate a new case record for that child whether or not responsibility for that child is to remain with that worker or is to be transferred elsewhere. To properly prepare a child determined to be appropriate for adoption, a thorough
	knowledge of how the case came to the Department and the course of the Department's work is essential to the workers seeking an adoptive home. It is important to establish a new record at the time of TPR, have available previous family information to best prepare for adoption, and eliminate the needless duplication of records. The same protocol for new record development is followed in the case of direct consent adoptions:  (1) Dictation from the biological family record shall not be copied for inclusion into the new case record:
	- (a) Subsequent dictation from the time of TPR will be included in the Narrative
	Section of the new case record; (b) When the case is appropriate for transfer to the Adoption Placement Unit the new case record is forwarded to the APU Administrator;
	(c) The APU may request the biological family record for review of background information from the Record Center if the family record has been closed; (d) If there is concurrent involvement and the biological family record remains open, the APU may access the family record; and
	(e) A new Face Sheet shall be placed in the Narrative Section including reference to the TPR in the Legal Action Section.
	(2) All case materials relating specifically to that child (i.e., documents, forms) shall be removed from the family record and shall be filed in the appropriate record sections. Service Plan/Agreements prior to termination shall remain with the family record as shall correspondence, court letters, hearing notices, forms such as 005s and any other forms or documents dated prior to the TPR and not relevant to planning for the child's current situation;
	(3) The child retains his/her RICHIST number but dictation and any new material
	regarding that child shall be filed in the child's new record;  (4) If the child is subsequently adopted, he/she shall be assigned a new RICHIST number whether or not a subsidy is involved:
	(a) The new RICHIST number shall reflect the child's name change, legal status, and new parent information; (b) The new RICHIST number shall be cross-referenced to the child's family of origin:
	origin; (c) If the adoptive family already has an existing RICHIST number, that number shall be used for the new child. The child shall be assigned the next numbered sequence. The child's dictation should be filed in the "Special Services" section of the existing adoptive family record. Documents, forms, correspondence, etc. shall be filed in the appropriate record sections. A notation should be made on the face sheet of the incorporation of the child's material;



 b. One (1) copy of each form, document, or letter shall be retained and filed
chronologically in the appropriate record section (as indicated on each case record
<del>divider):</del>
 (1) Multiple copies of any particular form, document, or letter shall be removed from
the case record and destroyed;
 (2) Copies of previous federal reporting forms (SSRS) and Transaction Sheets shall
be removed and destroyed; and
 (3) Any handwritten notes, scraps of paper, or other extraneous material which is not
germane to current case activity shall, with supervisory approval, be removed from the
case record and destroyed.
 c. Case Profile Needs Assessment Checklists and Profile Narratives shall be filed in
reverse chronological order in the section designated for Service Plan/Review/Social
Summary. Social Summaries completed prior to 5/15/89 shall be filed in this section
under the heading Previous DCYF/CWS Social Summaries (narratives);
 d. A Case Record Audit (DCYF #114) shall be placed in each record in front of the
"Narrative" divider:
 (1) The DCYF #114 is alphabetized. Forms are numbered and their location in the
record is indicated. Forms in bold type (if applicable), should be present when a child is
in placement;
 (2) As material is incorporated into the record, this shall be so noted on the DCYF
# <del>114;</del>
 (3) Prior to transfer of any record, this form shall be reviewed by the worker and
supervisor for completeness and accuracy as a part of the general record review for
transfer:
 (a) The presence or absence of specific material as noted on the form shall conform
to existing policy or practice;
 (b) The supervisor will seek assurance from the worker that all available case
information is contained within the record and that additional or duplicate information is
net in the personal possession of the worker; and
 (c) Once the contents of the case record as noted on the DCYF #114 satisfy transfer
criteria, the worker and supervisor shall sign and date the Case Record Audit.

- Case Record Storage
  Procedure from Policy 700.0065: Contents and Format for Departmental Record Keeping
- A. Case record binders can be stored in standard file cabinets (spine up) while the case is being actively serviced:
  - 1.Tab holders have been attached to the spine of each binder to display identifying case information; and
  - 2.Upon case closing the tab is removed from the holder and is stored in the "Special Forms/Documents" envelope.
- B. Because active cases opened to the Department prior to March 17, 1986 are not mandated to be converted to the hard cover three-ring (3) binder format (except where indicated within), these records shall continue, where applicable, to be stored in secure file systems.
- C.B. All case records are stored securely and Regardless of how an active case record is stored, such storage shall be locked during non-work hours:
  - Records <u>aremust</u> not be left on or in employees desks during non-work hours; and
  - 2. Records or sections of records <u>aremust</u> not <u>removedleave</u> the work site unless for approved work-related reasons as specified in policy.\_\_The reason the record is being requested and the time frame it is requested for must be clearly stated. In all cases final approval must be granted by the Unit Administrator or <u>his/her</u> designee.
- D.C. Closed case records, unless transferred for record consolidation to a concurrent worker, are removed from the binder (including dividers) and are placed in a manila folder for storage:
  - 1. Case identifying information is typed on a white gummed tab and is attached to the upper left corner of the manila folder;
  - 2. The seven-digit-(7) RICHIST family root number is handwritten in ink in large, bold print on the upper right corner of the manila folder;
    - a. The closed case record is sent to the DCYF Record Center Master File for storage:
    - b. <u>Master File The Record Center will</u> accepts only complete records (no temporary or partial records) for storage; and
    - c. Temporary or partial records sent to master File arethe DCYF Record Center will be returned to the sender. It is the responsibility of that worker to ensure that this material gets incorporated into the permanent family record.
  - 3.As the majority of cases serviced in Family Services originate in Intake, binders for closed Family Services cases shall generally be returned to Intake for use in subsequent cases. However, those units responsible for the majority of their own openings (ex. Probation and MHSCY) shall retain the empty binders for subsequent use; and
  - 4.If the case <u>isbecomes</u> reactivated at a later date, a <u>DCYF Master FileRecord Center</u> employee-<u>shall</u> places the contents in an <u>appropriate</u> binder, takes the tab from the "Special Forms/Documents," <u>and</u> places it in the folder and forwards the record to <u>whom</u>the appropriate individual. The manila folder in which the case was filed when closed should be three-hole punched and placed in the back of the hard cover three-ring (3) binder for re-use when the case is again closed.
- D. Employees also document activities in conformance with DCYF Policy 700.0100, Rhode Island Children's Information System (RICHIST).